



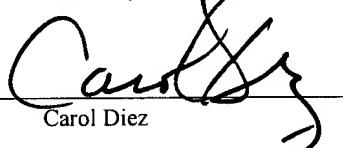
Docket No. SUN-P4174
(811173-000093)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Judith E. Schwabe
SERIAL NO.: 09/661,684
FILING DATE: September 14, 2000
TITLE: Remote Incremental Program Binary Compatibility Verification
Using API Definitions
EXAMINER: Wei Y. Zhen (Tel. No.: (703) 305-0437)
(Fax No.: (703) 746-7239)
ART UNIT: 2122

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date printed below:

Date: 5-13-04 Name: Carol Diez

Carol Diez

COMMISSIONER FOR PATENTS
P.O. Box 1450
ALEXANDRIA, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Each item of information listed in the attached FORM PTO-1449, for which a copy of each is attached (unless the blanket waiver referred to below applies), may be material to the examination of the above-identified application and is, therefore, submitted in compliance with the duty of disclosure defined in 37 CFR §§ 1.56, 1.97 and 1.98. The Examiner is requested to review, consider and document each such item in the official record of this application.

Note: If this box is checked, this case was filed after June 30, 2003 and qualifies for the blanket waiver of deposit of copies of U.S. Patents and U.S. Patent Application Publications in accordance with the written waiver of 37 CFR §1.98 (a)(2)(i) dated July 11, 2003. Accordingly, such copies are not attached.

This Information Disclosure Statement under 37 CFR §§ 1.56, 1.97 and 1.98 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these items constitutes prior art.

I

This statement is filed pursuant to (CHECK ONE BOX):



37 C.F.R. § 1.97(b).

This information disclosure statement is filed either:

- (1) within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application;
- (3) before the mailing date of a first office action on the merits; or
- (4) before the mailing of a first office action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification.



37 C.F.R. § 1.97(c).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of any of the following:

- (1) a final action under 37 C.F.R. § 1.113;
- (2) a notice of allowance under 37 C.F.R. § 1.311; or
- (3) an action that otherwise closes prosecution in the application.

Accordingly, this information disclosure statement requires either:

- (1) the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c); or
- (2) a certification according to 37 C.F.R. § 1.97 (e)(1) or (2).



37 C.F.R. § 1.97(d).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97 (c).

Accordingly, this information disclosure statement requires:

- (1) a certification in accordance with 37 C.F.R. § 1.97(e); and
- (2) the fee specified in 37 C.F.R. § 1.17 (p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d).

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record. **To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.**

II

Fees Due (CHECK ONE BOX):

- No fee is due.
- The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) or 37 C.F.R. § 1.97(d) is enclosed (\$180).

III

Certification (CHECK ONE BOX):

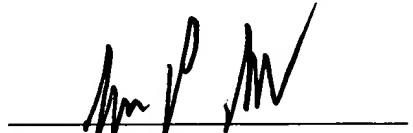
- No certification is necessary.
- Pursuant to 37 C.F.R. § 1.97(e)(1), the undersigned hereby certifies: That each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- Pursuant to 37 C.F.R. § 1.97(e)(2), the undersigned hereby certifies: No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this information disclosure statement.

IV

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

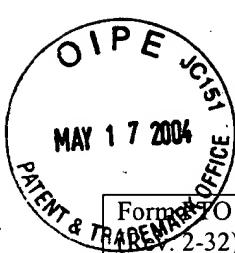
Please charge any additional required fee or credit any overpayment to our deposit account number 50-1698.

Respectfully submitted,
THELEN REID & PRIEST LLP


John P. Schaub
Reg. No. 42,125

Dated: May 13, 2004

THELEN REID & PRIEST LLP
P.O. Box 640640
San Jose, CA 95164-0640
(408) 292-5800 direct dial
(408) 287-8040 direct fax



Form 1449 (2-32) U.S. Department of Commerce Patent and Trademark Office				Atty. Docket No. SUN-P4174	Serial No. 09/661,684		
Information Disclosure Statement by Applicant (Use several sheets if necessary)				Applicant: Judith E. Schwabe			
				Filed: September 14, 2000	Group: 2122		
U.S. Patent Documents							
Init.		Document No.	Date	Name	Class	Subclass	Filing Date
	A-	6,002,871	12/14/99	Duggan et al.			
	B-	6,247,171	6/12/01	Yellin et al.			
	C	6,075,940	6/13/00	Gosling			
	D	6,052,732	4/18/00	Gosling			
	E	6,477,666	11/5/02	Sanchez et al.			
	F	6,138,112	10/24/00	Slutz			
	G	6,038,378	3/14/00	Kita et al.			
	H	5,408,665	4/18/95	Fitzgeralds			
	I	5,974,255	10/26/99	Gossain et al.			
	J	6,526,571	2/25/03	Aizikowitz et al.			
	K	6,230,314	5/8/01	Sweeney et al.			
	L	6,230,318	5/8/01	Halstead et al.			
	M	6,011,918	1/4/00	Cohen et al.			
	N	6,243,859	6/5/01	Chen-Kuang			
	O	6,262,492	7/17/01	Sheng			
	P	6,125,442	9/26/00	Maves et al.			
	Q	6,005,942	12/1999	Chan et al.			
	R	5,022,028	6/1991	Edmonds et al.			
	S	6,178,504	1/2001	Fieres et al.			
	T	6,389,467	5/2002	Eyal			
	U	6,360,334	3/2002	Kavanagh et al.			
	V	6,205,579	3/2001	Southgate			
	W	6,347,398	2/2002	Parthasarathy et al.			
	X	6,668,289	12/2003	Cheng et al.			
	Y	6,405,309	6/2002	Cheng et al.			
	Z	6,202,070	3/2001	Nguyen et al.			
	aa	5,925,140	7/1999	Hudson			
	bb	RE 37,722-	5/28/02	Burnard et al.			
Examiner					Date Considered		
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.							



(Rev. 2-32) U.S. Department of Commerce Patent and Trademark Office					Atty. Docket No. SUN-P4174	Serial No. 09/661,684		
Information Disclosure Statement by Applicant					Applicant: Judith E. Schwabe			
(Use several sheets if necessary)					Filed: September 14, 2000	Group: 2122		
U.S. Patent Documents								
Init.		Document No.	Date	Name	Class	Subclass	Filing Date	
	cc	5,652,835	7/29/97	Miller				
	dd	5,490,249	2/6/96	Miller				
	ee	5,966,702	10/12/99	Fresko et al.				
	ff	5,313,616	5/17/94	Cline et al.				
	gg	6,425,118	7/23/02	Molloy et al.				
	hh	5,565,316	10/15/96	Kershaw et al.				
Foreign Documents								
Translation								
Init.		Document No.	Date	Country	Class	Subclass	Yes	No
	ii	98/43212	10/1/98	WO				
Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)								
	jj	Zhao, Jianjun, "Applying Program Dependence Analysis To Java Software", Department of Computer Science and Engineering, pp. 1-8.						
Examiner						Date Considered		
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.								